

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

JUDGMENT IN A CIVIL CASE

**DONALD J. MURRAY; DOMINICK D'AMORE; LEE ADAMS; LINDA EDWARDS;
LINDA MATTHEWS; LORETTA SHELLING; MARK SUTTER; JOSEPH ANNORINO;
FRED BORDEN; WILLIAM DALE; CINDY ROBERT; DONALD CLARK; DIANE
CRANDALL; FAY KIMBALL; ROBERT BRACE; WALT LEROY; DANIEL F.
MACDONALD; and WILLIAM D. BARBEAU**

VS.

CASE NUMBER: 5:07-CV-147 (GTS/GHL)

**NINE MILE POINT NUCLEAR STATION, LLC; LOCAL UNION 97 OF THE
INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS;
CONSTELLATION GENERATION GROUP; CONSTELLATION ENERGY
COMMODITIES GROUP, INC.; CONSTELLATION ENERGY CORP.;
CONSTELLATION ENERGY GROUP, INC.; CONSTELLATION ENERGY PROJECTS
& SERVICES GROUP, INC.; CONSTELLATION ENERGY SOURCE, INC.; XYZ
CORP.; and NINE MILE POINT PENSION PLAN**

Decision by Court. This action came to hearing before the Court.
The issues have been heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

That the Union Defendant's Motion for Summary Judgment is granted, that Plaintiffs' Cross Motion for Summary Judgment is denied, and that the Employer Defendants' Cross Motion for Summary Judgment is granted. Therefore Plaintiffs' Amended Complaint is Dismissed in its entirety.

All of the above pursuant to the order of the Honorable Judge Glenn T. Suddaby, dated the 30TH day of September, 2010.

DATED: September 30, 2010


Clerk of Court

s/

Joanne Bleskoski
Deputy Clerk